

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

T.R.,

Plaintiff,

v.

Civ. No. 20-cv-276 GBW/JHR

PATRICK HOWARD,

Defendant.

ORDER ON OBJECTIONS TO DEPOSITION DESIGNATIONS

This matter comes before the Court on the parties' objections to deposition testimony designated to be used as evidence by the opposing party. *See docs. 263, 279, 287, 288, 301, 306.* At the final pretrial conference held on March 1, 2024, counsel advised that all previous objections to deposition designation are moot. Thus, the Court denies them as such and makes the following ruling on the operative objections.

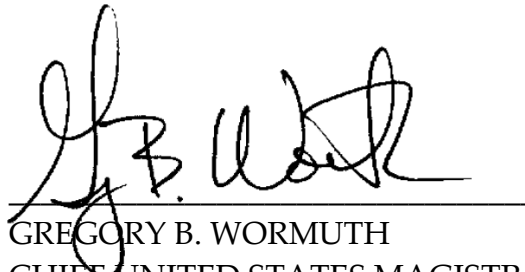
Defendant's objections to the designations of S.O.'s deposition listed in *doc. 287* are sustained with the following exceptions: 76:20-77:17 (ending at "time."); 85:3-8; and 125:10-21. These limitations are based on the Court's ruling with respect to the admissibility of harm to nonparties and its balancing under FRE 403.

Defendant's objection to the designation of Gary Stewart's deposition listed in *doc. 287* is sustained.

Plaintiff's objections to Defendant's counter-designations of Gary Stewart's deposition listed in *doc. 306* are sustained with the following exceptions: 31:4-13; 33:16-18; and 40:2-10.

Plaintiff's objections to the Defendant's counter-designations of S.O.'s deposition listed in *doc. 306* are sustained with the following exceptions: 18:3-5; 19:11-20:1¹; 22:10-23:25; 33:2-6; 25:3-7; 46:1-14; 57:17-25; 60:6-10; 73:12-15²; and 75:2-6. To be clear, with respect to the objection related to 65:5-12 and 71:23-25, the Court will permit the admission of those lines but will also permit Plaintiff to supplement them as requested.

Plaintiff's objections to the Defendant's counter-designation of V.D.'s depositions listed in *doc. 306* are sustained. To be clear, with respect to the objection related to 65:22-66:9, the Court will permit the admission of those lines but will also permit Plaintiff to supplement it with 65:18-21.

A handwritten signature in black ink, appearing to read 'G.B. Wormuth', is written over a horizontal line.

GREGORY B. WORMUTH
CHIEF UNITED STATES MAGISTRATE JUDGE
Presiding by Consent

¹ The Court is sustaining the objection to 19:3-10.

² The Court is sustaining the objection to 73:10-11.